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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,053	06/28/2001	Brian Michael Monrad	24254-1	4189

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EXAMINER

NGUYEN, TRI V

ART UNIT PAPER NUMBER

3622

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/893,053	Applicant(s) MONRAD, BRIAN MICHAEL	
	Examiner Tri V. Nguyen	Art Unit 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Objections

Claim 15 is objected to because of the following informalities:

In Claim 15, line 1, "method of claim 15" is unclear because it refers to itself.

Therefore, for examination purposes, claim 15 has been changed to "method of claim 13."

In Claim 15, line 2, "include" has a grammatical error. Therefore, "include" should be changed to "includes." Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-8, 12-16 and 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Freeadvice.com. Attention is directed that for the purpose of this examination the date of the uploaded version of the Freeadvice.com website is June 19, 2000 (page 1).

Claim 1: Freeadvice.com discloses a method for a professional to attract clients by marketing to those who have no prior professional relationship with said professional, comprising the steps of:

- a. Providing at no charge to a public user, the use of an expert system
("Disclaimer" on page 13, Freeadvice.com);

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- b. Said expert system providing a Professional End Product in response to said user's input ("Freeadvice Live!" and "Bulletin Boards" on page 2, Freeadvice.com);
- c. Providing means for facilitating said user's communication with said professional ("Freeadvice Live!" on page 2, Freeadvice.com);
- d. Inviting said user to communicate with said professional to discuss the provision of professional for a fee ("Find a lawyer" page 6, Freeadvice.com).

Claim 2: Freeadvice.com discloses a method of claim 1, wherein said professional, in the course of performing professional services for a fee for said user, uses said user input ("Find a lawyer" on page 6 and "I want a lawyer" on page 5, Freeadvice.com).

Claim 3: Freeadvice.com discloses a method claim 1 or 2, further comprising the step of organizing an association of members, one of whose members is said professional ("Freeadvice: About the company" on page 8, Freeadvice.com).

Claim 4: Freeadvice.com discloses a method of claim 3 comprising the step of said association maintaining said expert system ("Freeadvice: About the company" on page 8, Freeadvice.com).

Claim 6: Freeadvice.com discloses a method of claim 3 wherein all members of said association are professionals of the same profession ("Freeadvice: about the company" on page 8 , Freeadvice.com).

Claim 7: Freeadvice.com discloses a method of claim 6, wherein said one same profession is regulated by geographical factors, and said expert system is adapted to be sensitive to local variations necessary for said user input to be relevant in a location specified by said user ("Find a lawyer" on page 6, Freeadvice.com).

Claim 8: Freeadvice.com discloses a method of claim 3, wherein membership in said association requires a commitment to a predefined standard for the provision of professional services ("Freeadvice: About the company" on page 8 and "Privacy Statement" on pages 9-10, Freeadvice.com).

Claim 12: Freeadvice.com discloses a method of claim 3 wherein said step of providing use of an expert system, is implemented by a website and associated software ("Freeadvice: About the company" on page 8, Freeadvice.com).

Claim 13: Freeadvice.com discloses a method of claim 3 wherein said step of providing means for facilitating said user's communication with said professional is implemented by the presentation of the identities of said association professionals and their contact coordinates ("Find a lawyer" on page 6, Freeadvice.com).

Claim 14: Freeadvice.com discloses a method of claim 13 wherein said presentation of professionals is prioritized depending on said specified location and on the said user's interest ("Find a lawyer" on page 6, Freeadvice.com).

Claim 15: Freeadvice.com discloses a method of claim 13 wherein said implemented presentation includes electronic links to said association members ("Find a lawyer" on page 6, Freeadvice.com).

Claim 16: Freeadvice.com discloses a method of claim 3 wherein said one professional is a legal professional ("Freeadvice: About the company" on pages 7-8, Freeadvice.com).

Claim 19: Freeadvice.com discloses a method of claim 3 wherein said user's input is kept confidential under said user's exclusive control ("Privacy Statement" on pages 9-11, Freeadvice.com).

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 9-11, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeadvice.com. Official notice is taken on Claims 5, 9-11, 17 and 18.

In Claim 5, Freeadvice.com discloses the claimed invention except for the association retaining an organizer and further comprising the step of said organizer maintaining said expert system. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by Freeadvice.com since it was known in the art that retaining an organizer is used to provide the technical expertise and skills necessary in uploading and keeping up a system.

In Claim 9, Freeadvice.com discloses the claimed invention except for predefined standard being ISO9002. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by Freeadvice.com since it was known in the art that ISO9002 is known standard used throughout the business industry.

In Claim 10, Freeadvice.com discloses the claimed invention except for predefined standard being the provision of professional services whose cost and quality reflects the utility of said user input. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by Freeadvice.com since it was known in the art that the provided professional services is directly dependent on the quality of the information given by the users.

In Claim 11, Freeadvice.com discloses the claimed invention except for each said association member contributing money or services to said association as a condition of memberships in the association. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by Freeadvice.com since it was known in the art that contributing money to the association is a common practice to membership to help fund operation costs.

In Claim 17, Freeadvice.com discloses the claimed invention except for one said association member being a professional of one profession and another said association member is a professional of another profession. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by Freeadvice.com since it was known in the art that the inclusion and amalgam of different professional expertise is used to increase the attractiveness of the association by diversifying and enhancing the portfolio of services offered.

In Claim 18, Freeadvice.com discloses the claimed invention except for one said association member being a professional and one said association is not a professional. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method as taught by Freeadvice.com since it was known in the art that inclusion of non-professional members is used as an ancillary service to support the professional members.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- A. Whitmyer, Jr. (6182078) discloses a system for delivering professional services over the Internet.

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- B. Whitmyer, Jr. (6049801) discloses a system for permitting direct client entry reminders to a central database for automating delivery of professional services.
- C. Whitmyer, Jr. (5895648) discloses a system for automatically deliver professional services and subsequent referral to experts that can be implemented on the Internet.
- D. Janssen et al. (US 2002/0194224) discloses a system that can be implanted on the Internet for providing professional services and comprising of jurisdiction selection, an automated document creation, a professional services selection and a matching services.
- E. Goldenberg (US 2002/0065682) discloses an interactive network-based health information system that is tailored to the user.
- F. Douglas et al. (6039688) discloses a health program that provides feedback to the user via a network interface and links the user to the professional service providers.
- G. FindLaw.com discloses a website (uploaded on June 20, 2000) that provides free legal consultations, forms and a lawyer directory.
- H. USLaw.com discloses a website (uploaded on June 19, 2000) that provides free legal advice, forms and a lawyer directory.
- I. Allaboutforms.com discloses a website (uploaded on June 19, 2000) that provides forms at no charge in different professional fields and links to professional service providers.
- J. Ilrg.com discloses an internet legal resource guide (uploaded on June 19, 2000) that provides a free legal forms and links to law firms.

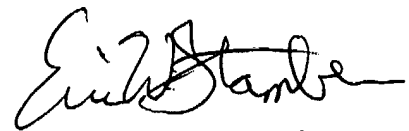
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri V. Nguyen whose telephone number is (571) 272-6965. The examiner can normally be reached on M-F 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

nvt



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